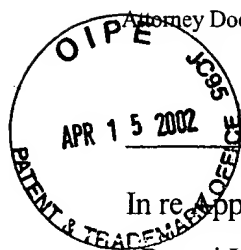


04-16-02

Express Mail # EV093668656US

DAC #
#3

PATENT



Attorney Docket # 2132-50PCON

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re: application of

Petteri HEINONEN, et al

Serial No.: 09/923,255

Filed: August 2, 2001

For: Method and System For Transmission
of Messages

Examiner: Not Yet Assigned
Group Art: 2151

RECEIVED

APR 18 2002

OFFICE OF PETITIONS

Assistant Commissioner for Patents
Attn: Box Petitions
Washington, DC 20231

PETITION UNDER 35 U.S.C. §116 AND 37 C.F.R. §1.47(a)

SIR:

This Petition is submitted pursuant to 35 U.S.C §116 and 37 C.F.R. §1.47(a) to request that the U.S. Patent and Trademark Office ("PTO") accept the filing of the above-identified U.S. Patent Application by joint inventor Petteri Heinonen, on behalf of himself *and* on behalf of his co-inventor, Sami Oinonen, because the latter co-inventor Sami Oinonen has refused to execute the subject U.S. Patent Application despite diligent efforts to have him sign a Declaration in support of the application.

The undersigned, and other attorneys in the law firm of the undersigned, are the attorneys for Sonera Oyj (formerly known as Sonera Oy¹), a corporation of Finland, and of its wholly-owned subsidiary Sonera Smarttrust Oy, also a corporation of Finland (hereinafter jointly,

¹ The change of name of the Finnish company "Sonera Oy" to "Sonera Oyj" was an obligatory change when the company was listed on the Finnish Stock Exchange. An English-language translation of

unless otherwise indicated, referred to as "Sonera"). The undersigned is empowered and has the authority to act on behalf of Sonera, which is the proper, legitimate and lawful owner of the invention of the subject U.S. application.

In brief, and as explained more fully below, (1) Petteri Heinonen and Sami Oinonen are the named and actual joint inventors of the subject U.S. patent application, (2) Mr. Oinonen has refused to sign a Declaration in support of the U.S. application, despite repeated oral and written requests that he do so by employees of Sonera; (2) Mr. Heinonen *has* executed a Declaration for this application, a Declaration that also contains a blank signature block of the non-signing inventor Mr. Oinonen and may therefore properly be treated as having been signed by all the available joint inventors on behalf of the non-signing inventor (see MPEP §409.03(a)); and (3) Sonera is the owner of all rights in and to the subject US application because, as employees of Sonera, both Mr. Heinonen and Mr. Oinonen are required, as a matter of Finnish statutory law, to assign the invention which is the subject of this U.S. application to their employer Sonera.

On August 2, 2001, the undersigned filed (by U.S. Postal Service Express Mail) the papers necessary to obtain a filing date for a new U.S. patent application under 35 U.S.C. §1.53(b), based on the priority of Finnish patent application No. 990,254, filed February 9, 1999, and International (PCT) Patent Application No. PCT/FI00/00072, which had been filed on February 2, 2000 and in which the United States was properly designated. That Section 1.53(b) filing request was accompanied, *inter alia*, by an unexecuted Declaration of the joint inventors, Petteri Heinonen and Sami Oinonen.

The Finnish priority application was filed by Sonera Oy (now Sonera Oyj) as applicant, and the International (PCT) priority application was filed by Sonera Oyj as applicant (for

the extract for Sonera Oyj from the Finnish Register of Companies is attached as Exhibit 1 hereto.

all countries except the United States, with respect to which Mr. Heinonen and Mr. Oinonen were named as joint applicants). Both the Finnish and International (PCT) priority applications are directed to the same invention as that disclosed and claimed in the subject U.S. application. Messrs. Heinonen and Oinonen, as joint inventors, executed an Assignment of the Finnish priority application to Sonera Oy (a copy of that Assignment document is attached to the Declaration of European Patent Attorney Markku Simmelvu, Exhibit 2 hereto). Messrs. Heinonen and Oinonen, as joint inventor/applicants for the designated United States in the International (PCT) priority application, also executed a Power of Attorney with respect to the International (PCT) priority application to the Finnish law firm Papula Oy (a copy of that Power of Attorney is attached to the Declaration of Markku Simmelvu, Exhibit 2 hereto).

As noted above, the U.S. application which is the subject of this Petition was filed on August 2, 2001 and was accompanied on filing by an unexecuted Declaration of the joint inventors, Petteri Heinonen and Sami Oinonen. The unexecuted Declaration identified the undersigned and other members and employees of undersigned's law firm (Cohen, Pontani, Lieberman & Pavane) as the record attorneys for the application, and identified undersigned's law firm as the mailing address for all correspondence in connection with the application.

On August 10, 2001, the undersigned sent a letter to European patent attorney Markku Simmelvu of the Finnish law firm Papula Oy, confirming the filing of the application in the PTO by U.S. Postal Service Express Mail on August 2, 2001. (We correspond with Sonera through the Finnish law firm Papula Oy, from whom we also receive the instructions of Sonera.) Our letter of August 10, 2001 enclosed a copy of the application as filed in the PTO on August 2, 2001, and stated that a further Declaration and Power of Attorney for execution by the inventors Mssrs. Heinonen and Oinonen would be forwarded to Mr. Simmelvu upon receipt from the PTO

of the return receipt postcard reporting the Serial Number that had been assigned to the application. A copy of that August 10, 2001 letter (but omitting the copy of the application as filed and the other enclosures that accompanied that letter) is attached as Exhibit 3 hereto.

On September 5, 2001 - having on August 20, 2001 received back from the PTO the return receipt postcard that had been filed with the application papers on August 2, 2001 and which now carried the Serial Number (09/923,255) that had been assigned to the application - the undersigned sent a further letter to European patent attorney Markku Simmelvuuo of the Finnish law firm Papula Oy, informing of the Serial Number and filing date that had been assigned to the U.S. application and forwarding with that letter a Declaration and Power of Attorney document, in which the application was identified by its Serial Number and filing date, for execution by the inventors Petteri Heinonen and Sami Oinonen. (Since a copy of the application as filed had already been sent to Mr. Simmelvuuo with our prior letter of August 10, 2001 (Exhibit 3), an additional copy of the application as filed was not forwarded with our letter of September 5. A copy of that September 5, 2001 letter to Mr. Simmelvuuo is attached as Exhibit 4 hereto.

On September 13, 2001, a paper entitled "Notice to File Missing Parts of Nonprovisional Application Filed Under 37 CFR 1.53(b)", noting the lack of an executed Oath or Declaration of the inventors in the papers filed with the subject U.S. patent application, was mailed to the undersigned by the PTO. That Notice was received by undersigned's law office on September 18, 2001. A copy of that "Notice to File Missing Parts", as received on September 6, 2001, is attached as Exhibit 5 hereto.

By faxed letter of September 25, 2001, the undersigned informed European patent attorney Markku Simmelvuuo of our receipt of the "Notice to File Missing Parts", and provided Mr. Simmelvuuo with an accompanying copy of that Notice. (A copy of the September 25, 2001 letter -

on which additional notations indicating the dates on which the letter was resent by fax to Mr. Simmelvuo as a reminder of the extended deadline(s) for filing of the executed Declaration - is attached as Exhibit 6 hereto.)

Sonera has made repeated unsuccessful attempts to obtain the signature of the non-signing joint inventor, Sami Oinonen, on a Declaration relating to the subject U.S. patent application. As reported by Paivi Soderman, Patent Manager of Sonera Smarttrust Oy, in his attached Declaration (Exhibit 7 hereto), Sonera has forwarded a Declaration and Power of Attorney to Mr. Oinonen and made repeated attempts, both in writing and orally, to obtain Mr. Oinonen's signature on that Declaration. Despite those repeated efforts, Mr. Oinonen has refused to sign the document - apparently under a belief that signing the Declaration will saddle him with limitless burdens and responsibilities concerning, *inter alia*, future occurrences in respect of any patent that results from the subject application - and has thereby necessitated the filing of this Petition. (See the Declaration of Paivi Soderman, Exhibit 7 hereto.)²

Mr. Oinonen's joint inventor, Petteri Heinonen, *has* signed a Declaration and Power of Attorney for the subject application; that Declaration, signed by Mr. Heinonen, is attached as Exhibit 8 hereto.³ The Declaration signed by Mr. Heinonen also includes a signature block of the non-signing joint inventor Sami Oinonen which is, however, blank (i.e. unsigned) by virtue of Mr. Oinonen's refusal to execute a Declaration in support of the subject U.S. application.

² The Soderman (Exhibit 7) Declaration also states, in its final paragraph, that inventor Oinonen "did sign the assignment document", and a copy of that signed Assignment document is attached to the Soderman Declaration. It will be noted, however, that numerous critical portions of that attached Assignment document have been struck through, on information and belief by Mr. Oinonen, rendering the document as a whole virtually unintelligible and of questionable legal effect.

³ It will be noted that although the Declaration, as originally prepared (and as filed in the PTO with the application papers on August 2, 2001), listed Petteri Heinonen's Post Office Address as Postipuuntie 12 D 52, FIN-02600 Espoo, Finland", Mr. Heinonen's Post Office Address has since changed and, as Mr. Heinonen has written-in by hand in signing the Declaration, Mr. Heinonen's Post Office Address is now "Hameentie 68 C 49, FIN-00550 Helsinki, Finland".

Non-signing joint inventor Sami Oinonen's last-known, and on information and belief his current, address is Viides Linja 4 C 84, FIN-00530 Helsinki, Finland. All communications with Mr. Oinonen seeking his signature on the Declaration for the subject U.S. application have been directed to that address and/or faxed to Mr. Oinonen's last-known (and, on information and belief, his then and presumably now current) fax number.

Mr. Oinonen is under a duty, as a matter of law, to assign the subject U.S. patent application to Sonera as a direct consequence of his employment by Sonera. The attached Exhibit 2 Declaration of European Patent Attorney Markku Simmelvuo, of the Finnish patent firm Papula Oy, states that under Finnish statutory law an employee's inventions are owned by the employee, in this case Sonera. Inventor Sami Oinonen - as well as his co-inventor Petteri Heinonen - was an employee of Sonera at the time that the invention of the priority Finnish patent application, and correspondingly of the subject U.S. application, was made. It accordingly was and remains today proper for Sonera to take the responsibility and carry out the actions appropriate for obtaining, or at least diligently attempting to obtain, co-inventor Sami Oinonen's signature on a Declaration in support of the U.S. patent application, as it did.

In view of (1) joint inventor Sami Oinonen's express refusal to sign a Declaration in support of the subject U.S. patent application, (2) the execution by Mr. Oinonen's co-inventor Petteri Henonen, on behalf of himself *and* on behalf of the non-signing inventor Mr. Oinonen, of a proper Declaration (attached as Exhibit 8 hereto) in support of the U.S. application, and (3) the demonstrated diligent efforts by Sonera, the proper, legitimate and lawful owner of the invention of the U.S. application, to obtain inventor Oinonen's signature on a supporting Declaration, it is respectfully requested that the U.S. Patent and Trademark Office grant this Petition and accept the

filing of the subject U.S. patent application by inventor Petteri Heinonen on behalf of himself *and* on behalf of his co-inventor, Sami Oinonen who has refused to sign such supporting Declaration.

The undersigned hereby declares that all statements made herein of his own knowledge are true, and that all statements made on information and belief are believed to be true; and, further, that these statements are made with the knowledge that willful false statements and the like so made are punishable by fine, or imprisonment, or both under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

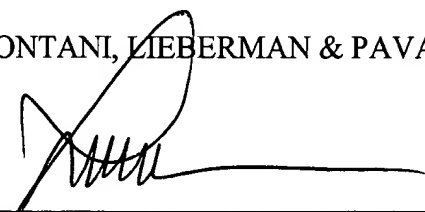
A check in the amount of \$1,960.00 in payment of the government fee for a five-month extension of time, a check in the amount of \$130.00 in payment of the government fee for the filing of "missing parts" in response to the September 13, 2001 Notice, and a check in the amount of \$130.00 in payment of the government fee for the filing of this Petition, are enclosed herewith.

Any additional fees or charges required at this time in connection with the subject patent application may be charged to our Patent and Trademark Office Deposit Account No. 03-2412.

Respectfully submitted,

COHEN, PONTANI, LIEBERMAN & PAVANE

By



Lance J. Lieberman
Reg. No. 28,437
551 Fifth Avenue, Suite 1210
New York, New York 10176
(212) 687-2770

Dated: April 15, 2002

EXTRACT FROM THE TRADE REGISTER

Trade name: Sonera Oyj

Business Identity Code: 1475607-9
Trade Register Number: 740.009
Company Registered: 30.06.1998
Company Form: public limited company
Domicile: Helsinki

Company's Contact Information:

Mailing Address: PL 106, 00051 Sonera
Visiting Address: Teollisuuskatu 15, 00510 Helsinki

Register entries:

TRADE NAME (registered 01.10.1999)
Sonera Oyj.

PARALLEL TRADE NAME (registered 01.10.1999)
(English) Sonera Corporation.

DOMICILE (registered 30.06.1998)
Helsinki.

BOARD OF DIRECTORS (registered 30.05.2001)

Chairman:
Tapio Jussi Anselmi Hintikka
Ordinary members:
Jorma Tapio Laakkonen
Eva Helena Maria Liljeblom
Jussi Eerikki Länsiö
Roger Ensio Talermo
Esa Erkki Tihilä
Tapio Johannes Vaahtokivi
Tom Wilhelm von Weymarn
Deputy members:
Kari Ilmari Vilkman

OTHER MANAGEMENT (registered 11.10.2001)

Managing Director:
Harri Eerik Koponen
Substitute for the Managing Director:
Aimo Eloholma

LEGAL REPRESENTATION (registered 03.07.1998)

Under the Companies Act, the Company's name is signed by the Board of Directors.

SIGNING ON BEHALF OF THE COMPANY (registered 21.09.1998)

According to the articles of association, the company's name is signed by the managing director on his own, and by two members of the board of directors together.

AUTHORIZATION TO SIGN FOR THE COMPANY (registered 05.09.2001)

Aimo Eloholma

Kim Juhani Ignatius

Jari Vesa Jaakkola

Maire Annikki Laitinen

Kirsti Helinä Lehtovaara-Kolu

Pekka Heikki Juhani Reijonen

Esko Juhani Rytönen

Leif Niklas Mikael Sonkin

Juha Pekka Varelius

Anni Kaarina Vepsäläinen

Persons authorized to sign for the company sign two together or each of them separately together with a member of the board.

PROCURATION RIGHTS (registered 12.11.2001)

Jari Juhani Kinnunen

Jukka Erkki Kämäri

Jukka Tapani Leinonen

Sirkka Anneli Marjakangas

Erkki Antero Oksanen

Tapani Mikael Pökkä

Lauri Pekka Takala

Jorma Leo Tukia

Tiia Silja Kristiina Tuovinen

The holders of procuration sign the company name two together or each of them separately together with a member of the board or with a person authorized to sign the company name.

TRADE NAME HISTORY:

01.10.1999 - Sonera Oyj

03.07.1998 - 30.09.1998 Sonera-yhtymä Oyj

30.06.1998 - 02.07.1998 Telecom Finland Yhtymä Oy

Helsinki, 17 January 2002

For a true copy of the extract:

Tuija Surojegin

Administrative Officer

Fee 91,50 euro

STATEMENT

Sonera Smarttrust Oy owns the rights to the invention "METHOD AND SYSTEM FOR TRANSMISSION OF MESSAGES", a patent application concerning which is pending in the USA under the application number 09/923255. A patent has been applied for the invention also in Finland under the application number FI 990254 and with an international patent application PCT/FI00/00072. These applications are also the priority applications of the above-mentioned U.S. application.

With the enclosed assignment the joint inventor, Sami Oinonen, has transferred his rights to said invention "METHOD AND SYSTEM FOR TRANSMISSION OF MESSAGES" to Sonera Oy, which belongs to the same consolidated corporation as Sonera Smarttrust Oy, to which Sonera Oy has transferred the right. Sonera Oy owns Sonera Smarttrust in its entirety and in that regard they are one company. In the assignment it has been stated that the assignee gets a right to dispose the invention, and in addition, Sami Oinonen has promised to sign all the necessary documents that are needed in order to confirm the assignment.

In addition, the inventor Sami Oinonen has signed a power of attorney to the Finnish attorney of Sonera Smarttrust Oy Papula Rein Lahtela Oy (at present Papula Oy) for the international patent application PCT/FI00/00072 in order that one could also mention the USA in the international patent application. Enclosed is a copy of said power of attorney.

Enclosed please find an extract from the law about the employer's right to the inventions made by the employee with its translations into English. Section 4 of the law shows that if the invention was made when fulfilling the duties of the employee in employment, then the rights to the invention belong to the employer. This is very unambiguous, and based on this, the right to the invention belongs

clearly to the employer of Sami Oinonen. We enclose a copy of the work contract which shows that Sami Oinonen was in an employment relationship with Sonera Oy at the time the invention, i.e. the Finnish application FI 990254, was made.

Helsinki 12 April 2002



Markku Simmelvuo,
European patent attorney
PAPULA OY

Patentit, tavaramerkit ja m
 Patent, varumärken och mönster
 Patents, Trade Marks and D signs
 Patente, Warenzeichen und Muster

SUOMI
 FINLAND

SIIRTO

Täten vahvistetaan, että
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Suomessa seuraavaan

- ☒ keksintöön
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☐ mallinhakemukseen
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ÖVERLÅTELSE

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för Finland till följande

- ☐ uppfinning
☐ prioritet
☐ patentansökan
☐ patent
☐ varumärkesansökan
☐ varumärke
☐ mönsteransökan
☐ mönster
☐ nytteghetsmönsteransökan
☐ nytteghetsmönster

namligen

ASSIGNMENT

Hereby it is confirmed that
 the right

for Finland to the following

- ☐ invention
☐ priority
☐ patent application
☐ patent
☐ trademark application
☐ trademark
☐ design application
☐ design
☐ utility model application
☐ utility model

namely

ÜBERTRAGUNG

Hiermit wird bestätigt, dass in
 Finnland das Recht

an folgende

- ☐ Erfindung
☐ Priorität
☐ Patentanmeldung
☐ Patent
☐ Warenzeichenanmeldung
☐ Warenzeichen
☐ Musteranmeldung
☐ Muster
☐ Gebrauchsmusteranmeldung
☐ Gebrauchsmuster

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MENETELMÄ JA JÄRJESTELMÄ SANOMIEN VÄLITYKSEN

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has been assigned to

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yhtiölle

Sonera Oy

Teollisuuskatu 15
 00510 Helsinki

Päikka, päiväys ja allekirjoitus

Helsinki 29.09.1995
 Ort, datum och underskrift

Place, date and signature

Ort, Datum und Unterschrift

Peter Heinonen

Sami Oimonen

Ei vahvistusta
 Ingen legalisering
 No legalization
 Keine Beglaubigung



Rekisteröidyt patenttiasiamiehet
 Registered Patent Attorneys
 European Patent Attorneys

PAPULA and NEVINPAT offices,
 specialists in industrial property
 rights in Finland and the former
 USSR countries.

SUOMI
FINLAND

Patentit, tavaramerkit ja mallit
 Patent, varumärken och mönster
 Patents, Trad Marks and Designs
 Patent, Warenzeichen und Muster

12865S / 1019

VALTAKIRJA
 Taten

FULLMAKT
 for

POWER OF ATTORNEY
 to

VOLLMACHT
 für

PAPULA REINHARTTILA OY
 Patent and Trade Mark Attorneys
 P.O.Box 987, Fredrikinkatu 61 A, FIN-00101 Helsinki, Finland
 Telefax +358 9 3480 0630, 3480 0631

tai määräämensä valtuutetaan
 edustamaan minua/meitä

eller förordnad att representera
 mig/oss

or any one whom they may appoint
 to represent me/us

oder von ihnen ernanntem, mich/
 uns

kansainvälisessä patenttihakemuksessa
 PCT/FI00/00072 MENETELMÄ JA JÄRJESTELMÄ
 SANOMIEN VÄLITYKSENEEN

in international patent application
 PCT/FI00/00072 METHOD AND SYSTEM FOR
 THE TRANSMISSION OF MESSAGES

etuoikeus/priority: 09.02.1999 - FI - 990254

ja kaikessa, mikä koskee hakemus-
 ta, tästä jakamalla erotettuja ja loh-
 kalsaja hakemuksia ja hakemusten
 perusteella myönnettyjä suoje-
 lukyökyä koskee, kantamaan ja vas-
 taamaan.

och i allt vad beträffar ärendet, an-
 sökningen, därur avdelade och ut-
 brutna ansökningar och på grund
 av sagda ansökningar beviljade
 skyddsätter, föra talan och svara.

and in everything concerning the
 matter, application, applications
 therefrom branched off or divided
 as well as protective rights granted
 on said applications, to pursue
 claim and to reply.

zu vertreten und in allem, was die
 Sache, Anmeldung, davon abge-
 teilte oder ausgeschiedene Anmel-
 dungen sowie auf Grund derselben
 erteilte Schutzrechte betrifft, zu
 klagen und zu antworten.

Helsinki 20.6.2000

Palkka, päiväys ja
 hakijan allekirjoitus

Ort, datum och
 sökandens underskrift

Place, date and
 signature of Applicant

Ort, Datum und
 Unterschrift des Anmelders

Sami Oinonen

Ei vahvistusta
 Ingen legalisering
 No legalization
 Keine Beglaubigung



Rekisteröidyt patenttiasiamiehet
 Registered Patent Attorneys
 European Patent Attorneys

PAPULA and NEVINPAT offices
 specialists in industrial property
 rights in Finland and the former
 USSR countries.

1 §

In this law, a consolidated corporation is used to refer to a consolidated corporation in accordance with chapter 6 of section 1 of the Bookkeeping Act (1336/1997), as well as to a municipality and municipal federation and companies under its authority as referred to in subsection 2 of section 5 and section 6 of chapter 1 of the Bookkeeping Act.

4 §

If the invention is a result of activities carried out in order to fulfill the duties of an employee, or by utilizing the experience gained in a company or organization of the employer or in one belonging to the same consolidated corporation with it, the employer has the right, provided that the utilization of the invention is included in the branch of business of the employer or in the one of a company belonging to the same consolidated corporation with it, to obtain the right to the invention either wholly or partially. If the invention was produced by the employee as a result of a duty more specifically defined in the employment, the employer has the aforementioned right, although the utilization of the invention is not included in the branch of business of the employer or in the one of a company belonging to the same consolidated corporation with it.

If it is a question about an invention the utilization of which is included in the branch of business of the employer or in the one of a company belonging to the same consolidated corporation with it but which was produced in connection with an employment relationship other than prescribed by subsection 1, the employer is entitled to obtain the right of use of the invention.

If the employer wishes to obtain a right to an invention referred to in subsection 2 that is wider than the one prescribed in it, or a right to an invention that was produced without a connection to an employment relationship but the utilization of which, however, is included in the branch of business of the employer or in the one of a company belonging to the same consolidated corporation with it, the employer has the priority to obtain the right in question by agreeing on it with the employee.

COHEN, PONTANI, LIEBERMAN & PAVANE

COUNSELLORS AT LAW
PATENTS, TRADEMARKS & COPYRIGHTS
551 FIFTH AVENUE
NEW YORK, NEW YORK 10176

MYRON COHEN
THOMAS C. PONTANI, PH.D.
LANCE J. LIEBERMAN
MARTIN B. PAVANE
MICHAEL C. STUART
WILLIAM A. ALPER
KLAUS P. STOFFEL
EDWARD M. WEISZ

TEL: (212) 687-2770
FAX: (212) 972-5487



August 10, 2001

YUNLING REN, PH.D.
JULIA S. KIM
MINDY H. CHETTIH
VINCENT M. FAZZARI
CATRIONA M. COLLINS
ALFRED W. FROEBRICH
ALFRED H. HEMINGWAY, JR.
KENT H. CHENG, PH.D.
ROGER S. THOMPSON
JEREMY A. KAUFMAN
GEORGE J. BRANDT, JR.
TEODOR J. HOLMBERG
F. BRICE FALLER

Markku Simmelvuo, Esq.
Papula Oy
Box 981
SF-00101 Helsinki
Finland

Re: New U.S. Patent Application
Method and System for Transmission of Messages
Your Ref.: 14837S
Our File No. 2132-50PCON

RECEIVED

APR 18 2002

OFFICE OF PETITIONS

Dear Markku:

Per your letter of 17 July 2001, we filed the above-identified patent application in the United States Patent and Trademark Office 2 August 2001 in order to preserve the convention priority. A copy of the application as filed is enclosed for your records. In addition, we filed an Information Disclosure Statement.

Since we filed the application in unexecuted condition, upon receipt of the Serial Number that has been assigned to this application, we will forward an appropriate Declaration and Power of Attorney and Assignment documents for execution by the inventors, **Petteri Heinonen and Sami Oinonen**.

Also enclosed is our invoice for services rendered in connection herewith.

In view of the disclosure rules of the U.S. Patent and Trademark Office, please provide us as soon as possible with a copy of all references mentioned in the application, if any, and of any additional prior art of which you are or may become aware, especially any prior art cited in a corresponding foreign application.

COHEN, PONTANI, LIEBERMAN & PAVANE

Markku Simmelvuori, Esq.
August 10, 2001
Page 2

With best regards.

Very truly yours,

COHEN, PONTANI, LIEBERMAN & PAVANE

A handwritten signature in cursive script, appearing to read "Lance J. Lieberman", followed by a stylized flourish or set of initials.

Lance J. Lieberman

LJL/LAK
Enclosures

COHEN, PONTANI, LIEBERMAN & PAVANE

COUNSELLORS AT LAW
PATENTS, TRADEMARKS & COPYRIGHTS
551 FIFTH AVENUE
NEW YORK, NEW YORK 10176

MYRON COHEN
THOMAS C. PONTANI, PH.D.
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MARTIN B. PAVANE
MICHAEL C. STUART
WILLIAM A. ALPER
KLAUS P. STOFFEL
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TEL: (212) 687-2770
FAX: (212) 972-5487

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ALFRED H. HEMINGWAY, JR.
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ROGER S. THOMPSON
JEREMY A. KAUFMAN
GEORGE J. BRANDT, JR.
TEDDOR J. HOLMBERG
F. BRICE FALLER

September 5, 2001

VIA FAX NO. 011 358 9 3480 0630

Markku Simmelvuo, Esq.
Papula Oy
Box 981
SF-00101 Helsinki
Finland

RECEIVED

APR 18 2002

OFFICE OF PETITIONS

Re: U.S. Patent Application
Method and System for Transmission of Messages
Your Ref.: 14837S
Our File No. 2132-50PCON

Dear Markku:

Further to our letter of 27 July 2001, we are pleased to advise you that Serial No. 09/923,255 and a filing date of 2 August 2001 have been granted the above-identified patent application. In that regard, we are enclosing herewith an appropriate Declaration and Power of Attorney and Assignment documents for execution by the inventor. Please have Messrs. Heinonen and Oinonen sign and date both the Declaration and Power of Attorney and Assignment documents where indicated and then return the same to us. As of this date, we have not received from the U.S. Patent and Trademark Office entitled Notice to File Missing Parts - Filing Date Granted. This paper will indicate the time frame in which the Declaration and Power of Attorney must be filed in order to maintain the pendency of the patent application. As soon as we receive this paper, we will immediately forward a copy on to you.

COHEN, PONTANI, LIEBERMAN & PAVANE

Markku Simmelvuori, Esq.

September 5, 2001

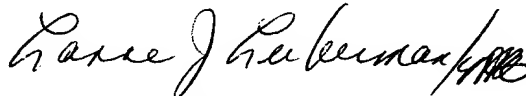
Page 2

If you have any questions in the interim, please do not hesitate to contact me.

With best regards.

Very truly yours,

COHEN, PONTANI, LIEBERMAN & PAVANE

A handwritten signature in cursive script, appearing to read "Lance J. Lieberman", followed by a stylized flourish or set of initials.

Lance J. Lieberman

LJL/LAK
Enclosures

DECLARATION AND POWER OF ATTORNEY FOR PATENT APPLICATION

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled

METHOD AND SYSTEM FOR TRANSMISSION OF MESSAGES

the specification of which was filed on August 2, 2001 and accorded Serial No. 09/923,255.

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the patentability of this application in accordance with Title 37, Code of Federal Regulations, Section 1.56(a).

I also acknowledge the duty to disclose information which is material to the patentability of this application in accordance with Title 37 CFR 1.63(d), which occurred between the filing date of the prior application and the filing date of the continuation-in-part application, if this is a continuation-in-part application.

I hereby claim foreign priority benefits under Title 35, United States Code, Section 119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

Prior Foreign Application:	Country:	Finland
	Appln. No.:	990254
	Filed:	February 09, 1999

Prior Foreign Application:	Country:	PCT
	Appln. No.:	PCT/FI00/00072
	Filed:	February 02, 2000

I hereby appoint the following attorneys and/or agents to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith:

MYRON COHEN, Reg. No. 17,358; THOMAS C. PONTANI, Reg. No. 29,763; LANCE J. LIEBERMAN, Reg. No. 28,437; MARTIN B. PAVANE, Reg. No. 28,337; MICHAEL C. STUART, Reg. No. 35,698; KLAUS P. STOFFEL, Reg. No. 31,668; EDWARD M. WEISZ, Reg. No. 37,257; JULIA S. KIM, Reg. No. 36,567; VINCENT M. FAZZARI, Reg. No. 26,879; ALFRED W. FROEBRICH, Reg. No. 38,887; KENT H. CHENG, Reg. No. 33,849; ROGER S. THOMPSON, Reg. No. 29,594; GEORGE J. BRANDT, JR., Reg. No. 22,021; F. BRICE FALLER, Reg. No. 29,532; YUNLING REN, Reg. No. 47,019; DAVID J. ROSENBLUM, Reg. No. 37,709; ELI WEISS, Reg. No. 17,765; TONY CHEN, Reg. No. 44,607.

Address all telephone calls to Lance J. Lieberman, Esq. at telephone No. (212) 687-2770.

Address all correspondence to:

Lance J. Lieberman, Esq.
Cohen, Pontani, Lieberman & Pavane
551 Fifth Avenue, Suite 1210
New York, New York 10176

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full Name of Sole or First Inventor: Petteri HEINONEN

Inventor's signature: X

Dated: X
Month/Day/Year

Residence: **Espoo, Finland**

Citizenship: **Finland**

Post Office Address: **Postipuuntie 12 D 52
FIN-02600 Espoo, Finland**

Full Name of Second Joint Inventor: Sami OINONEN

Inventor's signature: κ

Dated: κ
Month/Day/Year

Residence: **Helsinki, Finland**

Citizenship: **Finland**

Post Office Address: **Viides Linja 4 C 84**
FIN-00530 Helsinki, Finland

ASSIGNMENT

In consideration of One Dollar (\$1.00), and other good and valuable consideration, the receipt of which is hereby acknowledged, We the undersigned, **Petteri HEINONEN, Sami OINONEN** (hereinafter referred to as "ASSIGNOR"):

Hereby sell, assign and transfer to **Sonera Oyj** (hereinafter referred to as "ASSIGNEE"), a corporation of Finland, having a place of business at Teollisuuskatu 15, FIN-00820 Helsinki, Finland; its successors, assigns and legal representatives, the entire right, title and interest for the United States and all foreign countries, in and to any and all improvements which are disclosed in the application for United States Letters Patent, which was filed on August 2, 2001 and accorded Serial No. 09/923,255, and is entitled

METHOD AND SYSTEM FOR TRANSMISSION OF MESSAGES

and in and to said application and all divisional, continuing, substitute, renewal, reissue, and all other applications for Letters Patent which have been or shall be filed in the United States and all foreign countries on any of said improvements; and in and to all original and reissued patents which have been or shall be issued in the United States and all foreign countries on said improvements;

Agree that said Assignee may apply for and receive Letters Patent for said improvements in its own name, and that, when requested, without charge to but at the expense of said Assignee, its successors, assigns and legal representatives, to carry out in good faith the intent and purpose of this assignment, the undersigned will execute all divisional, continuing, substitute, renewal, reissue, and all other patent applications on any and all said improvements;

execute all rightful oaths, assignments, powers of attorney and other papers, communicate to said Assignee, its successors, assigns, and representatives, all facts known to the undersigned relating to said improvements and the history thereof; and generally do everything possible which said Assignee, its successors, assigns or representatives shall consider desirable for aiding in securing and maintaining proper patent protection for said improvements and for vesting title to said improvements and all applications for patents and all patents on said improvements, in said Assignee, its successors, assigns and legal representatives; and

Covenant with said Assignee, its successors, assigns and legal representatives that no assignment, grant, mortgage, license or other agreement affecting the rights and property herein conveyed has been made to others by the undersigned, and that full right to convey the same as herein expressed is possessed by the undersigned.

Date: X_____
month/day/year

X_____
Petteri HEINONEN

X_____
Witness

X_____
Witness

Date: X_____
month/day/year

X_____
Sami OINONEN

X_____
Witness

X_____
Witness

COHEN, PONTANI, LIEBERMAN & PAVANE

COUNSELLORS AT LAW

PATENTS, TRADEMARKS & COPYRIGHTS

551 FIFTH AVENUE

NEW YORK, NEW YORK 10176

MYRON COHEN

THOMAS C. PONTANI, PH.D.

LANCE J. LIEBERMAN

MARTIN B. PAVANE

MICHAEL C. STUART

WILLIAM A. ALPER

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TEL: (212) 687-2770

FAX: (212) 972-5487

YUNLING REN, PH.D.

JULIA S. KIM

MINDY H. CHETTIH

VINCENT M. FAZZARI

CATRIONA M. COLLINS

ALFRED W. FROEBRICH

ALFRED H. HEMINGWAY, JR.

KENT H. CHENG, PH.D.

ROGER S. THOMPSON

JEREMY A. KAUFMAN

GEORGE J. BRANDT, JR.

TEODOR J. HOLMBERG

F. BRICE FALLER



September 25, 2001

VIA FAX NO. 011 358 9 3480 0630

Markku Simmelvuo, Esq.

Papula Oy

Box 981

SF-00101 Helsinki

Finland

Re: U.S. Patent Application
Method and System for Transmission of Messages
Your Ref.: 14837S
Our File No. 2132-50PCON

Dear Markku:

Further to our letters of 27 July and 5 September 2001, we have now received and enclose herewith a paper from the U.S. Patent and Trademark Office entitled Notice to File Missing Parts of Nonprovisional Application. We now have until 13 November 2001 to file the executed Declaration and Power of Attorney sent to you with our letter of 5 September 2001. If we file the executed Declaration by the 5 September 2001 due date, only a late charge of US \$130 will be due. If, on the other hand, we file the Declaration and Power of Attorney after the 13 November 2001 due date, the time frame for filing is as follows:

✓ 13 December 2001
✓ 13 January 2002
✓ 13 February 2002
✓ 13 March 2002
13 April 2002

one month extension
two month extension
three month extension
four month extension
five month extension

REMINDER

1 November 2001
27 November 2001
27 December 2001
27 January 2002
27 February 2002

RECEIVED

APR 18 2002

OFFICE OF PETITIONS

. COHEN, PONTANI, LIEBERMAN & PAVANE

Markku Simmelvuo, Esq.

September 25, 2001

Page 2

We await receipt of the executed Declaration and Power of Attorney. If you have any questions in the interim, please do not hesitate to contact me.

With best regards.

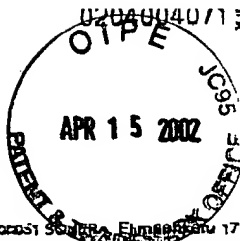
Very truly yours,

COHEN, PONTANI, LIEBERMAN & PAVANE

A handwritten signature in cursive script, appearing to read "Lance J. Lieberman", followed by a stylized flourish or initials.

Lance J. Lieberman

LJL/LAK
Enclosure



SmartTrust Ltd, P.O. Box 425, FIN-00051 SONERA, Elinkeino 17-19 Helsinki Finland
T +358 (0) 2040 83051 F +358 (0) 2040 82730 E info@smarttrust.com I www.smarttrust.com

DECLARATION

12.4.2002

REGARDING EFFORTS TO HAVE THE DECLARATION AND POWER OF
ATTORNEY SIGNED FOR US PATENT APPLICATION 09/823,255, OUR REF
1019US

I work as Patent Manager for Smarttrust Systems Oy and Sonera Smarttrust Oy.
Papula Oy is our patent attorney for this case.

Papula Oy has sent us a declaration and power of attorney (hereafter called "the
document") in this case to be undersigned by the inventor.

One of the inventors, Sami Oinonen, has left the company and refuses to undersign
the document.

I have made several attempts to get his signature both orally and in writing. He did
not answer the letters

Enclosed are copies of letters sent to him. I have also spoken in telephone with him
several times during the last days.

During these discussions he has told me that he is worried to sign the document,
which, as far as he can understand, makes him "responsible for everything that
happens with the patent" and that someone might sue him in court.

He does not believe that he is safe even if he signs in good faith and today he said
that he refuses to sign this document.

He, however, did sign the assignment document

Paivi Soderman

Paivi Söderman

Patent Manager
Smarttrust Systems Oy

RECEIVED

APR 18 2002

OFFICE OF PETITIONS



1. ~~Notified~~
~~040-5062558~~

blu
12.30

2. ~~Vuorokortti~~

030-5287714
040 751 0041

sami.oinonen@studonator.com

Johanna Heikkinen

03-665 628

Covering Letter

TO Sami Oinonen
SUBJECT Valtia- ja siirtokirja
FROM Johanna Heikkinen/SmartTrust
DATE March 5, 2002

☐ URGENT ☐ AS AGREED ☐ FOR YOUR ACTIONS ☒ TO BE RETURNED
☐ FOR YOUR INFORMATION ☐ FOR YOUR RECORDS ☒ TO BE SIGNED ☐ RETURNING TO YOU

Reference: 1019 US

Hei Sami!

Lähetän onnessa allekirjoitettavaksi valtia- ja siirtokirjan. Palauttaisitko ne mahdollisimman pian oheisella palautuskuorella.

Jos sinulla on jotain kysyttävää, voit ottaa yhteyttä SmartTrustin Patent Manageriin, Pami Sodermaniin, puh. 040 556 9180.

Kirtoisi

Terveisin,

Johanna Heikkinen

LIITTEET valtia- ja siirtokirja

T BY: SONERA SMARTTRUST LTD.;

0204004011;

12-04-02 14:49;

**Facsimile**

TO Sami Oinonen
CC
COMPANY
FAX NO. 09 665 628

FROM Johanna Heikkinen
FAX NO. 02040 65117 / 02040 62130
DATE April 9, 2002
PAGES 1 + 5

IF YOU DO NOT RECEIVE ALL PAGES OR CANNOT READ THIS FAX PLEASE CALL 02040 62346

SUBJECT Patentusiakirjat

Moi Sami!

Oheassa lahetan allekirjoitettavaksesi siirto- ja valtakirjan. Faksaisitko ystävällisesti takaisin numeroon 02040 65117.

Kiitos!

Terkuin,


Johanna Heikkinen
Puh. 040 539 1709

The information contained in this facsimile message is private and confidential. Please note that any unauthorized dissemination, distribution or copying of this facsimile message or any part thereof is strictly prohibited. If you are not the intended recipient or have received this message in error, please notify the sender named on this cover sheet immediately by telephone or facsimile at the number given above so that arrangements can be made for the return of the original message at our cost. Thank you for your assistance.

Sonera SmartTrust Ltd., Registered Office: Elijksaankatu 17-18, 00510 Helsinki, Finland Reg. No. 1571010-1
Postal Address: PO Box 426, FIN 00031 Sonera, Helsinki, Finland, Tel. +358 (0) 20401, Fax +358 (0) 2040 65117

IT BY: SONERA SMARTTRUST LTD.;

U2040040/1;

11-APR-02 10:42;

SONERHO AIRPORTPLAZA

B-AD 2 11:49; NO. 082

PAGE 2

Assignment Booklet Number: 2132-SOPCON

ASSIGNMENT

~~In consideration of One Dollar (\$1.00), and other good and valuable consideration, the receipt of which is hereby acknowledged, the undersigned, Sonera SmartTrust Ltd., SmartTrust (Finland) Oy, do hereby assign, transfer and convey unto the ASSIGNOR):~~

~~SmartTrust Ltd., and SmartTrust (Finland) Oy~~ (hereinafter referred to as "ASSIGNEE"), a corporation of Finland, having a place of business at Teollisuuskatu 15, FIN-00020 Helsinki, Finland; its successors, assigns and legal representatives, ~~the undersigned, this~~ and ~~herein~~ for the United States and all foreign countries, in and to any and all improvements which are disclosed in the application for United States Letters Patent, which was filed on August 2, 2001 and accorded Serial No. 09/923,255, and is entitled

METHOD AND SYSTEM FOR TRANSMISSION OF MESSAGES

and in and to said application and all divisional, continuing, substitute, renewal, reissue, and all other applications for Letters Patent which have been or shall be filed in the United States and all foreign countries on any of said improvements; and in and to all original and related patents which have been or shall be issued in the United States and all foreign countries on said improvements;

Agree that said Assignee may apply for and receive Letters Patent for said improvements in its own name, and that, when requested, without charge to but at the expense of said Assignee, its successors, assigns and legal representatives, to carry out in good faith the intent and purpose of this assignment, the undersigned will execute all divisional, continuing, substitute, renewal, reissue, and all other patent applications on any and all said improvements;

P10

execute all rightful oaths, assignments, powers of attorney and other papers, communicate to said Assignee, its successors, assigns, and representatives, all facts known to the undersigned relating to said improvements and the history thereof; and generally do everything possible which said Assignee, its successors, assigns or representatives shall consider desirable for aiding in securing and maintaining proper patent protection for said improvements and for vesting title to said improvements and all applications for patents and all patents on said improvements, in said Assignee, its successors, assigns and legal representatives; and

Covenant with said Assignee, its successors, assigns and legal representatives that no assignment, grant, mortgage, license or other agreement affecting the rights and property herein conveyed has been made to others by the undersigned, and that full right to convey the same as herein expressed is possessed by the undersigned.

Date: 1 month/day/year

X Peter HEINONEN

X Witness

X Witness

Date: 24 month/day/year

X Sami OINONEN

X Witness

X Witness